



When the Supreme Court “applies a rule of federal law to the parties before it, that rule is the controlling interpretation of federal law and must be given full retroactive effect in all cases still open on direct review and as to all events, regardless of whether such events predate or postdate [the Court’s] announcement of the rule.” *Harper v. Va. Dep’t of Taxation*, 509 U.S. 86, 97 (1993).

Counsel for the Bureau of Special Education Appeals has assented to this Motion. Counsel for the Natick Public School District has not assented to this Motion; however, it is my understanding that this Motion will not be opposed.

WHEREFORE, the Plaintiffs, M.D. and P.D., individually and on behalf of C.D, request leave of court to file a Memorandum of Law regarding supplemental authority, of not more than five (5) pages, to address the impact of *Endrew F. v. Douglas Cty. Sch. Dist.*, 580 U.S. \_\_\_, (March 22, 2017), on their pending case, and for the Defendants, Natick Public School District (“Natick”) and the Bureau of Special Education Appeals (“BSEA”) to file a response, of not more than five (5) pages, within fourteen (14) days thereafter.

DATED this 15<sup>th</sup> day of May 2017.

Respectfully submitted,

C.D., by and through her PARENTS AND  
NEXT FRIENDS, M.D. and P.D.

By their attorney,

/s/ Laurie R. Martucci  
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**CERTIFICATION PURSUANT TO LOCAL RULE 7.1(A)(2)**

I hereby certify that I conferred with counsel for the Bureau of Special Education Appeals and counsel for the Natick Public School District prior to the filing of this Motion. Counsel for the Bureau of Special Education Appeals has assented to this Motion. Counsel for the Natick Public School District has not assented to this Motion; however, it is my understanding that this Motion will not be opposed.

/s/ Laurie R. Martucci

Laurie R. Martucci

**CERTIFICATE OF SERVICE**

I hereby certify that the above document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (“NEF”), and paper copies will be sent to those indicated as non-registered participants on May 15, 2017.

/s/ Laurie R. Martucci

Laurie R. Martucci